DOCUMENT RESUME

ED 123 295 UD 016 007

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TITLE The Busing Issue: A Legal or an Ethical Issue.
PUB DATE Apr 76
NOTE 8p.

EDRS PRICE MF-$0.83 HC-$1.67 Plus Postage
DESCRIPTORS Activism; Bus Transportation; *Community Attitudes; Equal Education; *Ethical Values; Federal Legislation; Integration Litigation; Integration Methods; Law Enforcement; Legal Responsibility; *Political Issues; Racial Integration; *School Integration; *Student Transportation; Supreme Court Litigation

ABSTRACT

To understand the moral or ethical issue involved in the busing affair, this discussion begins with the early fifties, a time when segregated schools were morally and legally accepted. In the early fifties, the "separate but equal position" tried unsuccessfully to equalize the education of whites and blacks. A few years later the busing of black and/or white children began to reach a balanced representation of both races in all the schools, holding the belief that all men are equal. Contemporary busing protesters want a solution to the problem of unequal education; that is, they understand the social moral problem. But when it is necessary for them to evaluate busing on an individual basis, they deny the individual moral problem. Such individualistic positions have brought the lack of cooperation that enables us to pursue the society goal of integrating the schools to equalize the education, and has given rise to the need of using the law in the application of busing, turning it from a moral to a legal issue. There is a lack of moral consistency in those opposing school integration through busing, it is concluded. Due to its intentions and its circumstances, busing is normally good. It is immoral to attack busing now, when it affects directly the whites' interests, while everybody remained silent during the many years of busing of black children to segregated schools.
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ED123295

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The Fusing Issue: A Legal or An Ethical Issue

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April 1976

UD 016007

Within the moral crisis that is striking the USA in the present time, there is a problem that needs special attention because of its immediate and future implications in our society values. This problem is busing.

Since the mid 60's, when the Courts commanded that the school children be bused to equilize the education through the integration of the schools, many pro and anti-busing positions have been upheld throughout the country. However, the bill was issued in an effort to force the schools to overcome segregated school policies, for the Department of Health, Education and Welfare can use the bill as a tool to deny school-aid funds to those schools that are violating the constitution by maintaining segregated classrooms.

To understand the moral or ethical issue involved in the busing affair, it is necessary to turn our eyes back to the early 50's. At that time, segregated schools were morally and legally accepted. There were schools for white children and schools for black children. Needless is to say that to the first ones were assigned the best teachers, as well as the larger sums of federal, state or local funds. The education received by the black children in their schools was in most cases poor, and in all cases inferior to the one received by the white students. The textbooks and/or equipment that were obsolete or useless in the white schools were usually

sent to the black schools to be used in their daily activities. And still the black six graders were reading the books that the white children used on third and fourth grade reading class.

At that time, the so much discussed busing affair also existed for hundreds or thousands of black children who could not attend the school nearest to their homes because it was the school for white children. Consequently, those children were bused for many years in order to maintain segregation, and to receive a low quality education.

This situation, along with the blacks' awareness of civil rights have brougth about the need to find a solution to the problem. However, equalizing education has not been an easy task. In the early 50's, the 'Separate but equal' position tried unsuccessfully to equalize the education of whites and blacks. Few years later, a new attempt came to the scene: the busing of black and/or white children to reach a balanced representation of both races in all the schools, holding the belief that all men are equal.

Busing, however, is not a new element in education as we have seen earlier. Moreover, Hawkins (1975) states that "American school children have always been involved in some kind of busing. In 1974-75, 50.2% of the nation's 41.4 million school children were bused. And of this percentage, only 7% were being bused for reasons of racial desegregation.

In other words 93% of those being bused were being bused for non-racial reasons.

This is really an amazing fact, especially when one considers the furor that is raised in this country just at the mention of the word busing. The concern for the issue then, abounds in a special kind of hypocresy when one realizes that of 41.4 million school children, only 2.9 million are actually involved in being transported to schools outside their immediate communities for race-balancing reasons. If there was genuine concern for every form of busing, then the anti-busing people would be equally up-tight about those 17.8 million children who also get bused daily--to schools outside their immediate communities for reasons having nothing to do with racial balance.

To this moment, I have not heard of any such confrontations. It makes one wonder."[1]

Yes, it certainly makes one wonder why the busing of black kids to segregated schools was right and hence, socially, legally and morally accepted, while on the other hand when used to equilize educational opportunities, the busing issue has been and is being so much attacked.

Busing has become a moral and legal problem in the USA. Morally, blacks and whites deserve, undoubtly, to receive

[1] Congressman Hawkins, "Good Guys Are For Busing", The Miami Times, October 9, 1975, p.5.

equal education if we are going to consider the ethical values and the nature of man supporting the country and its constitution. And as a matter of fact, is seems to be no problem understanding this fact; i.e., politicians, white parents and anti-busers in general understand and accept equal education as a neccesary issue. The main problem is the lack of cooperation or total imput that is offered to solve the problem. So, we can divide the problem of busing into

a) a social moral problem

b) an individual moral problem.

The busing protesters usually identify themselves as "not violent, not racist, not militant."[2] They want a solution to the problem of unequal education; that is, they understand the social moral problem. But on the other hand, they attack the only possible solution to the problem in the present (busing) because of its direct effect on them as individuals. In other words, when it is necessary for them to evaluate busing on an individual basis in order to offer their cooperation, they deny the individual moral problem. During an anti-busing parade in Louisville, Kentucky, the leader said: "You saw how the police were with us. They weren't swinging their sticks. After all, they are parents, too."[3] In Boston, another anti-busing leader said: "Anyone who fails to take action in a time of moral crisis has a special place in hell."[4]

[2] "Busing Protest Led From Wheelchair", The Miami Herald, September 28, 1975, p.10-A.

[3] Ibid p.5.

[4] Ibid p.5.

Those individualistic positions have brought the lack of cooperation that unables us to pursuit the society goal of integrating the schools to equalize the education, and has given rise to the need of using the authority, (the law) in the application of busing, turning it from a moral to a legal issue.

While explaining R. L. Cunningham's ethical position, Stevens (1974) states that "In-authority is reasonable and legitimate only when cooperation toward a common goal is both necessary and non-spontaneous...First as a member of a society I share in its common goal. Second, the achievement of that goal demands cooperation. And finally, that cooperation is not spontaneous. When these three conditions are fulfilled, in-authority is the mechanism that makes society work."[5] That has been the case with busing: since cooperation has not been spontaneous and our society needs to solve the moral problem that represent the segregated schools in order to offer equal education, busing has been enforced by law. Stevens further points out that "a law is just and moral provided that it comes within the purview of in-authority pragmatic function, namely, to ensure the necessary and non-spontaneous cooperation of citizens toward their country's common goals."[6]

[5] Edward Stevens, The Morals Games, New York: Paulist Press, 1974, p.138.

[6] Ibid p. 139.

In conclusion, I firmly believe that there is a lack of moral consistency in those opposing school integration through busing. I further believe that due to its intentions and its circumstances, busing is morally good, and that it is immoral to attack busing now, when it affects directly the whites' interests while everybody remained silent during the many years of busing of black children to their segregated schools. Those opposing the issue are led by personal and egotistic drives,and althought led by a personal concern, this concern is not strongly founded since the findings of several researches conducted on the results of busing indicate that "white children rarely suffer any educational damage in desegregated systems, while the black child shows appreciable academic gains under a desegregated setting. Some educational experts have asserted that an integrated school environment can remove about one-fifth of the gap between the educational achievement of black and white children."[7] Thus, busing is right!

[7] Congressman Hawkins, "School Integration Helps Kids Achieve", The Miami Times, October 16, 1975, p.5.